

THE SENATE AND HOUSE

The Gambling Bill Laid in Its Grave.

HOUSE HAS A BUSINESS DAY

Session Adjourns Until the Eighth Day—Ridiculous Cremation Bill.

The Senate met yesterday morning but one question was on the agenda. The bill was "Oh, that goes over," the answer was invariably, "Well, it don't!"

There was a political hen forecast had already been made that there would be lots of talk of adjournment.

There was a rumor early in the day that the bill was being brought to the Executive, or would be brought to the Senate later, to secure the passage of the present session.

After the adjournment of the session of the Senate and House representatives the rumor was fully confirmed.

On the other hand, there is the possibility that Governor Dole yesterday refused to grant further time for the present session will lapse at the close of the legal term.

The clerk read the passage of House Bill 11 relating to incomes. Mr. C. A. Russell said that no copy of the bill had been transmitted to the Senate.

The bill was read by title and for the order of the day upon Wednesday.

Mr. Russell said that the bill was not in favor of passing the bill, he did not think the printing committee should be forced.

Carter urged that his motion to adjourn should be taken up.

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Mr. Kalaupokalani moved that the county bill be passed by title. Lost.

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AMBUSHED SENATE AWAITS THE COUNTY BILL.

that such a school should be located in a more favorable position. As it was to deal with the local products of the Hawaiian Islands. He thought that Olua had not yet become the central industrial point of the islands from an industrial standpoint. While he favored the establishment of the school he did not think Olua was the best place.

Mr. Russell said he thought the committee should be instructed to report on next Wednesday when the bill came up. He thought the present action of the Senate was largely experimental and that the present action might conflict with the plans of the central government at Washington which had already established an experimental station here, near the city of Honolulu.

Upon motion it was ordered that the committee to whom the matter was referred be instructed to report on next Wednesday.

At this point the Senate adjourned to the floor of the House of Representatives to meet that body in joint session.

The President of the Senate announced that the time had arrived for another joint session of the houses and he ordered that the roll be called.

Mr. Emmeluth was the only member absent.

Mr. Kaohi moved that the chaplain be authorized to ask God's blessing upon the joint session, as he feared that the prayers put forth in the morning would not reach that far.

The motion carried.

Senator White moved a postponement.

Senator C. Brown said that one resolution was already up before the joint session and that this should be disposed of before further business was done.

Representative Mahoe moved that the joint resolution be read authorizing the present meeting.

After considerable debate Representative Mossman moved a recess to 1:30 p. m. which was carried.

When the Senate and House met in the afternoon—or attempted to meet—it was discovered by a keen-eyed homerule that Mr. Emmeluth, together with his hand glass was absent. For a moment this announcement made a ripple when it was declared by a long homerule in a black coat that the rest of the opposition to the present prosperity of Hawaii would not "play ball" until "Papa Emmeluth" marked "one" for the home rule party. At this point somebody from Hilo said Emmeluth was a "bigger man than old Grant" and the sergeant-at-arms was ordered to bring the delinquent plumber in. While the sergeant was sending bicycles for Representative Emmeluth that gentleman reported and explained that he considered a hearty luncheon of more importance than any joint session work and the President at once called the house to order.

The resolution was then called but before it could be put Mr. Kanuha moved that an adjournment be taken to the 55th day of the session.

Mr. Kalaupokalani said he wished the house to remember that the motion or resolution for adjournment was due to

the fact that Mr. J. T. Brown was not and could not be present. He admitted that Mr. J. T. Brown should be present and deplored the fact he was not. He stated that Mr. Brown had made every effort to be present and he held that under the circumstances he should be excused.

Mr. C. Brown said there was a former resolution which should be disposed of before anything further was done. If action was now taken it would affect the legality of the session.

Mr. White said that the day was coming when the question would come up; but he preferred that the Senate should decide the matter now. Delays were dangerous. "Do not think this is a small matter," said the senator; "it is most important. I think that now is the time for business."

Mr. Achi strongly opposed the delay of the matter on account of the absence of Senator J. T. Brown.

Mr. R. Prendergast said that he was also opposed to a delay. If Mr. J. T. Brown was not well enough to be present that was no reason why the Senate and House should defer action.

Mr. Aylett, the straight Republican of the House, said he was sorry if the joint session was forced to act, but that in his opinion, act they must.

Adjourned.

When the Senate reconvened Mr. Achi brought up the bill on taxes, under unfinished business, which he claimed should be placed upon the order of the day.

House Bill 101, for three judges on the circuit, passed third reading.

In relation thereto Mr. Carter said he had had two suits up for two years, which were of great importance, and that while he had a personal interest in the bill, he did not wish it thought that this would influence his disposition in the matter.

The previous question was here moved, and two other bills were set over.

Bill 58, to provide for the priority of claims in the foreclosure of chattel mortgages was brought up.

Mr. Baldwin said that he regretted that Mr. J. T. Brown could not be present, and he thought the bill should go over until that gentleman was present.

House Bill 57 was called.

Mr. Carter said that he did not know why Senator Baldwin had opposed him. He did not believe that upon general principles Walluku and Hilo should be compared, although there had already been more comparisons made by Senators present.

The House bill referring to the publication of the laws passed third reading.

Senate Bill 74, relating to awa, was brought up.

Considerable discussion took place upon this bill, which was again referred.

House Bill 19, relating to the sale of alcohol, was branded by Senator Russell as a bill entirely devoid of sense. He did not think he overstepped the bounds. Firms in Honolulu had imported an article which could not pass muster. As a master of science he protested against such importation, which placed a tax upon the sick man.

Mr. Carter spoke strongly in favor of the bill, which passed, 8 to 6.

At this point Mr. White again brought up the report of the committee on expenditures, which caused yesterday's fight.

A motion to adjourn was at once made by Mr. C. Brown.

Mr. Baldwin said that while he was not in favor of passing the bill, he did not think the printing committee should be forced.

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report would be handed in as soon as a mutual understanding with the Senate had been arrived at.

Chairs having been placed in anticipation of the joint session, the house adjourned until the arrival of the Senators.

The afternoon session came to order at 2:30, the House promptly settling down to business. Senate Bill 32 was called, but Makekau broke up the regular order of things to bring in some Board of Health letters, which were referred to the committee having the Board of Health resolution in charge.

Prendergast, the prolific, wanted the rules suspended while he introduced yet another measure, this time to extend Paunahi street from Fort to Union street.

Robertson had a strenuous objection against any more bills being brought in at this late hour. He added that he understood that only \$4,000 was left out of the \$45,000 appropriation for the Legislature, and moved the rejection of the bill.

Prendergast moved that the bill pass its first reading, and had his own way.

Achill gave notice of a bill to amend sections 317, 320 and 322-325 of the Penal Laws of 1897, relating to vaccination, and to prohibit the Board of Health from making any rules or regulations whereby children may be vaccinated. Several resolutions were introduced relative to street amendments, which were tabled, to be considered later with the appropriation bill.

Prendergast moved that the committee report on bill 14 from the table. Prendergast said something that apparently was not worth translating. Makekau remarked that the bill was not the order of the day. Kumulae objected that it was an important measure, and that it should be regularly carried for its second reading, the motion carrying.

House Bill 14, prohibiting the condemnation without compensation of property by the Board of Health was reported upon. The committee found the bill illegal, badly drawn up, and trespassing on ground already covered by bill 66, and therefore were against its passage.

Kumulae, the introducer, didn't like this at all, and moved to reject the report of the committee, as it was not in accord with the spirit of the community. Hawaiians having now the right to prevent the Board of Health from burning up property without compensation, he thought it was only right to pass the measure, no direct provision having been made in bill 66 for a similar measure.

Paele, a member of the committee, echoed the sentiments of the report.

Kumulae, fingering bill 66, excitedly wanted to ask Paele what part of bill 66 prohibited the board from burning up, and would not give Paele a chance to say six consecutive words without an interruption. Beckley also tried to talk, but was hardly given a chance.

Diekey stopped the flow of Kumulae's language by a point of order, and Beckley's speech was translated and proved to be a statement that the essence of bill 14 would be brought in tomorrow in another report. On motion of Mahoe the report was tabled for consideration with the bill.

The rules were suspended for Makekau, who attempted to speak, but Kumulae again jumped up. Prendergast and several others chattered in Hawaiian without interpretation.

Emmeluth moved that House Bill

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CAUCUS OF LAWYERS

Met to Discuss the Proposed Bill and Petition.

COMMITTEE APPOINTED

No Action Taken as Bar Association, as Meeting Was Irregular.

In response to notice given, about fifteen attorneys met yesterday afternoon in the court room of the First Circuit Court, for the purpose of discussing the proposed plan of framing a bill for a new judiciary system, the same to be sent, when completed and agreed upon, to Congress, accompanied by a petition for its passage, signed by the members of the Bar Association.

For a time it was thought that no meeting could be held, on account of the attendance not being sufficient to constitute a quorum, but several more lawyers came strolling in, and W. O. Smith took the Court's chair to preside, Secretary Case alert and at the clerk's table.

Attorney Davis, who is a very vehement supporter of the proposed plan, began enthusiastically to express his sentiments in the matter, and was promptly sat upon by Attorney McClanahan, who raised the point that the meeting was irregular and had no right to pass upon anything; according to the constitution and by-laws, he said, ten days' notice was necessary to a regular special meeting, whereas he, and a number of others, had received only a few hours' notice.

There was a great deal of quibbling over the matter, and a few sly personalities were indulged in; then Attorney Weaver solved the problem by making a motion that the meeting resolve itself into a caucus, to informally discuss the subject, which they had originally intended to discuss. This was agreed upon and the discussion began. Mr. Davis did most of the discussing, his remarks being directed principally towards the present judiciary system and the Judges; he said that with these there was "something wrong," backing up his statement with the extremely thin volume of reports in which were contained the reports of all the cases tried before the Supreme Court of the Territory during the past year. Mr. Davis compared the size of this book with the size of a fat volume lying on the table beside him entitled somebody or other on Toris, a half dozen books of which size, he said, are ordinarily compiled by the Supreme Courts of other Territories. This went, he said, to show that there was "something wrong somewhere," and that it wasn't fair for the Government to pay \$5,000 a year for the making of a little book like the one he held aloft in his hand.

Finally, the proposed petition, which had been signed by all the attorneys in Honolulu, was read, and following it the resolutions drafted by Hatch & Silliman, showing the plan for the new judiciary system.

After the reading, by Judge Silliman, it was suggested by the persistent Mr. McClanahan that the meeting had no right, as a meeting of the Bar Association, to take any steps in the matter, and upon this suggestion, a motion that the matter be referred to a committee was put to a vote—the committee to revise the resolutions already drafted, in which certain inconsistencies had been pointed out, and to report at a special meeting which was to be regularly called, with the prescribed ten days' notice. The Chair appointed Judge Silliman, Attorney Weaver and T. McCants Stewart to attend to the duties of such committee, and as this practically closed the matter for the time being, someone made a motion, and Chairman Smith asked all those in favor of formally closing the informal meeting to please signify by going home. The majority went, and the motion was carried.

The proposed plan provides for seven Supreme Justices, and three, instead of the present five, Circuit Courts, the Supreme Justices to take turns at sitting in the Circuit Courts, and all cases appealed from the Circuit Courts to be heard in the Supreme Court by Justices who had not heard the case in the lower courts. The suggested plan is calculated to expedite the trial of cases and keep the calendars clear. The resolutions will be properly framed and presented to the Bar Association at the special meeting which is to be called. The petition already signed by the lawyers of the City, both members of the Bar Association and those who are not, is as follows:

"Whereas, there are over 200 untried civil actions on the calendar of the Circuit Court for the Island of Oahu, and new actions are being constantly brought, and it is apparent that the Judges now appointed for said Island are unable to dispose of the actions now pending in said court, and such new actions as may be hereafter brought; and

Whereas, the Judges of the Circuit Courts in and for the Islands of Kauai, Maui and Hawaii can dispose of a greater amount of business than is brought before them; and

Whereas, it is believed that three Judges of the Supreme Court are not a sufficient number to constitute a court of final appeal in this Territory, and that

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